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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/674,255	09/29/2003	Yuichi Iwase	09792909-5694	1727
26263 7590 04/02/2008 SONNENSCHN NATH & ROSENTHAL LLP P.O. BOX 061080 WACKER DRIVE STATION, SEARS TOWER CHICAGO, IL 60606-1080				
EXAMINER				
HON, SOW FUN				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/674,255

Applicant(s)

IWASE, YUICHI

Examiner

SOPHIE HON

Art Unit

1794

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 December 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 and 6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/CDC)
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date: _____

DETAILED ACTION

Response to Amendment

Withdrawn Rejections

1. The 35 U.S.C. 112, 2nd paragraph rejection of claims 1-6 is withdrawn due to Applicant's amendment dated 12/10/07.
2. The 35 U.S.C. 103(a) rejections of claims 1-6 are withdrawn due to Applicant's amendment dated 12/10/07.

New Rejections

Claim Rejections - 35 USC § 112

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

3. Claims 1-3, 6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In independent claim 1, the phrase "or the like" renders the claim(s) indefinite because the claim(s) include(s) elements not actually disclosed (those encompassed by "or the like"), thereby rendering the scope of the claim(s) unascertainable. See MPEP § 2173.05(d).

Claim Rejections - 35 USC § 103

4. Claims 1-3, 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okazaki (US 5,670,797) in view of Sekiguchi (US 6,771,327).

Regarding claim 1, Okazaki teaches a display panel (column 1, lines 5-12) including a substrate (17, column 6, lines 43-45) on which a plurality of display devices are formed (light-emitting devices having one or a plurality of LED chips, column 3, lines 48-51) as defined in

Applicant's specification (light emitting devices 10R, 10G, 10B, Specification, page 14, first paragraph, Fig. 4A). Okazaki teaches a protective film formed directly on the substrate for protecting the plurality of display devices (LED chip 14 on the substrate 17 are sealed by a light-transmitting resin 16, column 6, lines 43-47, light-emitting devices having one or a plurality of LED chips, column 3, lines 48-51). Okazaki fails to teach a display unit that combines the display panel with a flexible touch panel which (a) is composed of plastic films and (c) detects contact with a finger or a pen.

However, Cok teaches that a conventional display unit comprises a touch panel (screen interface, column 1, lines 10-20), wherein the touch panel is flexible and is (a) composed of plastic films (flexible material such as plastic, column 1, lines 28-32), (c) detects contact with a finger or a pen (finger or stylus, column 2, lines 1-6), wherein the touch panel is placed over a display panel (OLED, column 3, lines 4-10) comprising a plurality of display devices (light-emitting elements 52, column 2, lines 58-65, column 5, lines 45-50), for the purpose of provided the desired touch screen interface (column 1, lines 10-20).

Therefore, it would have been obvious to one of ordinary skill at the time the invention was made, to have combined the display panel of Okazaki with a flexible touch panel which (a) is composed of plastic films and (c) detects contact with a finger or a pen, in order to provide a display unit with the desired touch screen interface, as taught by Cok.

Cok fails to teach that the display unit has component (b), where the flexible touch panel is directly bonded to a whole face of the display panel with an adhesive layer in between, wherein the adhesive layer is in direct contact with both the protective film of the display panel and one of the plastic films of the flexible touch panel.

However, Sekiguchi teaches a display unit (portable information equipment, column 8, line 40) comprising: a display panel (4, column 8, lines 39-40, Fig.4) including a substrate (6, column 8, lines 47-48, Fig.4) on which a display device is formed (with the input panel attached thereto, column 3, lines 19-20, Fig.4); and a touch panel which (a) is composed of plastic films (lower substrate 26 of touch panel 3, made up of a polyethyl sulfonate film, column 9, lines 15-17, upper substrate 21 disposed opposite lower substrate 26, is a plastic substrate made up of a film, column 9, lines 42-44), (b) is directly bonded to a whole face of the display panel (there exists no air between lower substrate 26 of the touch panel 3 and the first substrate 1 of the display panel 4, column 12, lines 20-25, Fig.4) with an adhesive layer in between (44, column 12, lines 20-25, Fig.4), for the purpose of preventing reflection at the interfaces therebetween (column 12, lines 19-26) and (c) detects contact from a finger (input is provided from the surface of the polarizer 45 as the viewer touches the polarizer, column 12, lines 5-10, Fig.4), or a stylus (input pen 80 onto the touch panel, such input information is recognized by a detection circuit, column 8, lines 1-6).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made, to have (b) directly bonded the flexible touch panel to a whole face of the display panel with an adhesive layer in between, wherein the adhesive layer is in direct contact with both the protective film of the display panel and one of the plastic films of the flexible touch panel, in the conventional touch screen display unit of Okazaki, as modified by Cok, in order to prevent reflection at the interfaces therebetween, as taught by Sekiguchi.

Regarding claim 2, Sekiguchi teaches that the touch panel is provided on a side where the display device of the substrate is formed and the display device is sealed by the touch panel,

since the touch panel is directly bonded to a whole face of the display panel (there exists no air between lower substrate 26 of the touch panel 3 and the first substrate 1 of the display panel 4, column 12, lines 20-25, Fig.4), as defined by Applicant's specification (page 18, last paragraph, page 19, first paragraph, Figure 8), for the purpose of preventing reflection at the interfaces therebetween (column 12, lines 19-26).

Regarding claim 3, Sekiguchi teaches that the touch panel has a structure wherein two plastic films (lower substrate 26 of touch panel 3, made up of a polyethyl sulfonate film, column 9, lines 15-17, upper substrate 21 disposed opposite lower substrate 26, is a plastic substrate made up of a film, column 9, lines 42-44, Fig. 7) in which respective transparent electrodes are formed (lower electrodes 27 made of transparent conductive film, column 9, lines 15-20, upper electrodes 22 made up of transparent conductive film, column 9, lines 42-48, Fig. 7) are layered so that the transparent electrodes are placed opposite each other (upper substrate 21 disposed opposite lower substrate 26, column 9, lines 42-48, Fig. 7), for the purpose of providing the desired flexible touch panel.

Regarding claim 6, Okazaki teaches that the display device is a light emitting device (column 1, lines 10-12), but is silent regarding the type of light emitting device, and thus fails to teach that it is an organic light emitting device which extracts the lights generated in a light emitting layer from a second electrode layer wherein the light emitting layer is disposed between a first electrode and a second electrode.

However, Cok teaches that a conventional organic light emitting device (typical light emitting diode OLED display, column 2, lines 58-60) extracts the lights generated in an organic light emitting layer (58, column 2, lines 58-65) from a second electrode side (metal cathode layer

62, column 2, lines 64-66, Figs. 5-6) wherein the light emitting layer is disposed between a first electrode (54, conductors, 54, column 5, lines 45-50, Figs. 5-6) and the second electrode, for the purpose of providing the desired light display.

Therefore, since Okazaki is silent regarding the type of light emitting device, it would have been necessary and hence obvious to have looked to the prior art for a suitable type. As such, it would have been obvious to one of ordinary skill in the art at the time the invention was made, to have used an organic light emitting device as the light emitting device in the display panel of Okazaki, which extracts the lights generated in a light emitting layer from a second electrode layer wherein the light emitting layer is disposed between a first electrode and a second electrode, for the purpose of providing the desired light display, as taught by Cok.

Response to Arguments

5. Applicant's arguments with respect to claims 1-3, 6 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication should be directed to Sow-Fun Hon whose telephone number is (571)272-1492. The examiner can normally be reached Monday to Friday from 10:00 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Terrel Morris, can be reached at (571)272-1478. The fax phone number for the organization where this application or proceeding is assigned is (571)273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Sophie Hon/

Sow-Fun Hon

*/Terrel Morris/
Supervisory Patent Examiner
Group Art Unit 1794*